



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/566,117

01/24/2006

Christian Imre

20912-103859

3678

28886

7590

11/04/2008

CLARK HILL, P.C.

500 WOODWARD AVENUE, SUITE 3500

DETROIT, MI 48226

EXAMINER

AMORES, KAREN J

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

11/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/566,117	<b>Applicant(s)</b> IMRE ET AL.	
	<b>Examiner</b> KAREN AMORES	<b>Art Unit</b> 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-17 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Acknowledgements***

1. Acknowledgment is made of Applicants' amendment to the claims filed on 26 September 2008. The replacement drawings are accepted and have been placed in the file.

### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1 – 3, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Zetterstrom et al. WO 96/00661 ("Zetterstrom"). Zetterstrom discloses an integrated rear suspension assembly fixedly securable to a transmission case, rear wheel carriers, and frame rails of a motor vehicle, said integrated rear suspension assembly comprising:

4. a plurality of trailing arms (18) having first and second ends, each of said first ends secured to one of the frame rails and each of said second ends secured to each of the rear wheel carriers;

5. a plurality of control arms (12) pivotally secured to each of said plurality of trailing arms for controlling said plurality of trailing arms;

6. a compound link member (24) having opposing ends attached to each of said plurality of trailing arms; and

7. a transmission cross member (1) fixedly secured to each of the frame rails, said transmission cross member including fixtures to receive and secure the transmission case and each of said plurality of control arms thereto such that said transmission cross member facilitates

Art Unit: 3616

said integrated rear suspension assembly and the transmission case to be assembled prior to securing said integrated suspension assembly to the frame rails.

8. In reference to claims 2, 3, 7, and 8, Zetterstrom further discloses the transmission cross member includes fixtures for securing the transmission case thereto; a rear cross member (30) having a lowered profile; a shock absorber (20) having one end coupled to the compound member and another end adapted to be coupled to one of the frame rails; and wherein the control arms are coupled to the transmission cross member.

9. Claims 1, 2, 6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Arkus-Duntov et al. U.S. 3,147,815 ("Arkus"). Arkus discloses an integrated rear suspension assembly fixedly securable to a transmission case, rear wheel carriers, and frame rails of a motor vehicle, said integrated rear suspension assembly comprising:

10. a plurality of trailing arms having first and second ends (column 1, line 68), each of said first ends secured to one of the frame rails and each of said second ends secured to each of the rear wheel carriers;

11. a plurality of control arms pivotally secured to each of said plurality of trailing arms for controlling said plurality of trailing arms (column 2, line 24);

12. a compound link member (8) having opposing ends attached to each of said plurality of trailing arms; and

13. a transmission cross member fixedly secured to each of the frame rails (column 3, line 33), said transmission cross member including fixtures to receive and secure the transmission case and each of said plurality of control arms thereto such that said transmission cross member

Art Unit: 3616

facilitates said integrated rear suspension assembly and the transmission case to be assembled prior to securing said integrated suspension assembly to the frame rails.

14. In reference to claims 2, 6, and 8, Arkus further discloses the transmission cross member includes fixtures for securing the transmission case thereto; wherein the trailing arms each include apertures adapted to receive driven shafts extending from the transmission case; and wherein the control arms are coupled to the transmission cross member.

***Claim Rejections - 35 USC § 103***

15. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

16. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zetterstrom in view of Toda et al. JP 6127231 (“Toda”). Zetterstrom does not disclose a bell crank. Toda teaches a bell crank (50) rotatably coupled to the compound link member. It would have been obvious for a person having ordinary skill in the art at the time the invention was made to modify Zetterstrom such that it comprised the bell crank in view of the teachings of Toda so as to reduce the size and weight of an input transmission system to a roll damper.

***Allowable Subject Matter***

17. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. Claims 9 – 17 are allowed.

### ***Response to Arguments***

19. Applicant's arguments, see page 7, paragraph 5, with respect to the rejection(s) of claim(s) 1 and 2 under 102(b) directed to reference Matschinsky et al. DE 31 36 125 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Zetterstrom and Arkus.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAREN AMORES whose telephone number is (571)272-6212. The examiner can normally be reached on Monday through Friday, 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Q. Nguyen can be reached on (571)-272-6952. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

Art Unit: 3616

like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Q. Nguyen/  
Supervisory Patent Examiner, Art Unit 3616

KAREN AMORES  
Examiner  
Art Unit 3616

/K. A./  
Examiner, Art Unit 3616